

HOUSE BILL 837

D3, D4

1lr1559

By: **Delegates Smigiel, Cane, Carter, Cluster, Dumais, George, Haddaway-Riccio, Hough, K. Kelly, McConkey, McDermott, W. Miller, and Parrott**

Introduced and read first time: February 11, 2011

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 15, 2011

CHAPTER _____

1 AN ACT concerning

2 **Courts – Exemption from Execution – Exception for Child Support Arrearage**

3 FOR the purpose of creating a certain exception to an exemption from execution on a
4 judgment by establishing that a certain percentage of money payable in the
5 event of sickness, accident, injury, or death of a person is subject to
6 garnishment for payment of a child support arrearage; and generally relating to
7 an exception to an exemption from execution for a child support arrearage.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 11–504(b)(2)
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2010 Supplement)

13 BY adding to
14 Article – Courts and Judicial Proceedings
15 Section 11–504(i)
16 Annotated Code of Maryland
17 (2006 Replacement Volume and 2010 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Courts and Judicial Proceedings**

2 11-504.

3 (b) The following items are exempt from execution on a judgment:

4 (2) [Money] **EXCEPT AS PROVIDED IN SUBSECTION (I) OF THIS**
5 **SECTION, MONEY** payable in the event of sickness, accident, injury, or death of any
6 person, including compensation for loss of future earnings. This exemption includes
7 but is not limited to money payable on account of judgments, arbitrations,
8 compromises, insurance, benefits, compensation, and relief. Disability income benefits
9 are not exempt if the judgment is for necessities contracted for after the disability is
10 incurred.

11 **(I) TWENTY-FIVE PERCENT OF MONEY DESCRIBED IN SUBSECTION**
12 **(B)(2) OF THIS SECTION IS SUBJECT TO GARNISHMENT FOR PAYMENT OF A**
13 **CHILD SUPPORT ARREARAGE.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.